



10-19-06

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PTO/SB/21 (09-06)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/524,724
	Filing Date	Feb. 16, 2005
	First Named Inventor	Dunkley, et al.
	Art Unit	1645
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	E072 1050.1 (50718.0006.9)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Preliminary Amendment and 1 Disk
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Customer number is 26158	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Womble Carlyle Sandridge & Rice, PLLC		
Signature			
Printed name	David S. Bradin		
Date	October 18, 2006	Reg. No.	37,783

CERTIFICATE OF TRANSMISSION/MAILING EL 983 774 527US			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Donnie S. Dietrich	Date	October 18, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2003</h2> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision.</p>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/524,726
		Filing Date	02/16/2005
		First Named Inventor	DUNCKLEY et al.
		Examiner Name	To Be Assigned
		Group Art Unit	1645
TOTAL AMOUNT OF PAYMENT (\$) <u>240.00</u>		New Attorney Docket No.	E072 1050.1 (50718.0006.9)

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																		
<div style="display: flex; justify-content: space-between; margin-bottom: 5px;"> <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None </div> <div style="margin-bottom: 5px;"> <input checked="" type="checkbox"/> Deposit Account </div> <div style="margin-bottom: 5px;"> Deposit Account Number: 09-0528 </div> <div style="margin-bottom: 5px;"> Deposit Account Name: Womble Carlyle Sandridge & Rice </div> <p style="font-size: small; margin-bottom: 5px;">The Commissioner is hereby authorized to: (check all that apply)</p> <div style="display: flex; justify-content: space-between; margin-bottom: 5px;"> <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments </div> <div style="margin-bottom: 5px;"> <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application </div> <div style="margin-bottom: 5px;"> <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. </div>	<h3 style="margin: 0;">3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge – late filing fee or oath</td><td>130.00</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge – late provisional filing fee or cover sheet.</td><td>0.00</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p style="font-size: x-small; margin-top: 5px;">Other fee (specify) _____</p> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> *Reduced by Basic Filing Fee Paid <div style="text-align: right;"> SUBTOTAL (3) (\$) <u>130.00</u> </div> </div>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge – late filing fee or oath	130.00	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.	0.00	1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2010	2255	1005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive – unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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<h3 style="margin: 0;">2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</h3> <table style="width: 100%; font-size: x-small;"> <tr> <td>Total Claims</td> <td><input type="text"/></td> <td>-20** =</td> <td><input type="text"/></td> <td>x</td> <td><input type="text"/></td> <td>=</td> <td><input type="text"/></td> <td>Fee Paid</td> </tr> <tr> <td>Independent Claims</td> <td><input type="text"/></td> <td>-3** =</td> <td><input type="text"/></td> <td>x</td> <td><input type="text"/></td> <td>=</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>Multiple Dependent</td> <td><input type="text"/></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td><input type="text"/></td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>86</td><td>2204</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> **or number previously paid, if greater; For Reissues, see above <div style="text-align: right;"> SUBTOTAL (2) (\$) <u> </u> </div> </div>				Total Claims	<input type="text"/>	-20** =	<input type="text"/>	x	<input type="text"/>	=	<input type="text"/>	Fee Paid	Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	x	<input type="text"/>	=	<input type="text"/>	<input type="text"/>	Multiple Dependent	<input type="text"/>							<input type="text"/>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1204	86	2204	42	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	David S. Bradin	Registration No. (Attorney/Agent)	37,783
Signature		Telephone	1.919.484.2382
		Date	October 18, 2006

CERTIFICATE OF MAIL

Date of Deposit: October 18, 2006

Type of Documents: Fee Transmittal (1 org. + 1cc) = 2 pages
Reply to Missing Parts (1org +1cc) = 2 pages
Declaration = 3 pages
Transmittal Letter (1 org. + 1cc) = 2 pages
Copy of Notification of Missing Parts = 2 pages
Preliminary Amendment 8 pages
1 Disk
Return Postcard

Total Number of Pages submitted **19 pages**

Title: Modified Tailed Oligonucleotides

Serial No. 10/524,724

Filing Date: February 16, 2005

I hereby certify that the above documents are being mailed in an envelope by First Class
mail to:

**Commissioner for Patents
Mail Stop: Non-Fee Preliminary Amendment
And Missing Parts
P. O. Box 1450
Alexandria, VA 22313-1450**

 (signature)
Donnie S. Dietrich

EL 983 774 527 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: DUNCKLEY, M.G., et al
Serial No.: 10/524,724
Filed: February 16, 2005

Conf. No.: 8410
Examiner: To be assigned
Art Unit: 1645

For: MODIFIED TAILED OLIGONUCLEOTIDES

REPLY TO NOTIFICATION OF MISSING REQUIREMENT UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) AND IN
COMPLIANCE WITH 37 dfr 1.497(a) AND (b)

In Reply to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) recently received from your offices, enclosed is the declaration of the sole-inventor, for the above-captioned application. Applicants submit a copy of the Notice and the missing parts requested and a Fee Transmittal authorizing the required fees to be charged to the deposit account of Applicants' representative.

It is believed that the foregoing and the enclosed provide a full and complete Reply to the Notice. The Examiner is invited to contact the undersigned at (919) 484-2382 regarding any question concerning this submission.

Respectfully submitted,

Date: 10/18/06

By: David S. Bradin
David S. Bradin
Reg. No. 37,783
Attorney for Applicants

Attorney Docket No. E072.1050.1. (50718.0006.9)

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Customer No.: 26158